

Response Under 37 CFR 1.116  
Expedited Procedure  
Examining Group 3739

Remarks

Claims 1-29 are pending.

Claims 10-25 are allowed.

Claim 27 would be allowable if rewritten in independent form to include the limitations of claim 26.

Claim Objections

Claim 3 is cancelled in response to the Examiner's observation that claim 3 is redundant with claim 1 as previously amended.

Claim Rejections 35 USC 102(b)

Claims 1-9 and 29 stand rejected as being anticipated by Cunningham et al (Cunningham).

Valid rejection under 35 USC 102 requires that each feature of a rejected claim be disclosed in a single reference. "For anticipation under 35 USC 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present." MPEP 706.02(a)

Cunningham does not disclose each of the features of amended claim 1 or claims 30 and 31.

Cunningham describes an ablation catheter with an electrode. The diameter of the electrode is about 2 mm.

Cunningham does not disclose an electrode where the ablation or mapping electrode has a rounded surface structure whose edges have a radius of curvature of more than approximately 500nm, or more than 100nm, or more than 10nm.

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Therefore, it is respectfully submitted that subject matter of claim 1 and new claims 30 and 31 are not anticipated by Cunningham.

Claim Rejections 35 USC 103(a)

Claims 26 and 28 stand rejected as being unpatentable over Cunningham in view of Eggers et al (Eggers).

Eggers describes systems and methods for electrosurgical removal of calcified deposits.

The catheter in Eggers is a different type of catheter than the present invention as claimed.

Neither in Cunningham or Eggers can a method for surface treatment of the electrode be found.

Also an electrode is not described where the ablation or mapping electrode has a rounded surface structure whose edges have a radius of curvature of more than approximately 500nm, or more than 100nm, or more than 10nm.

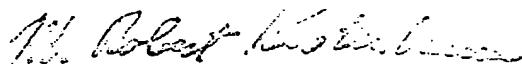
Therefore, it is respectfully submitted that the subject matter of claims 1, 30 and 31 is not obvious in view of a combination of Cunningham and Eggers.

Wherefore, please further consider and allow the claims in this application.

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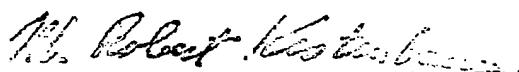
A one-month extension of time in which to respond to the outstanding Office Action is hereby requested. Credit Card Payment Form PTO-2038 is enclosed to cover the prescribed Small Entity one-month extension fee of \$55.00.

Respectfully submitted,



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I hereby certify this correspondence is being submitted to Commissioner for Patents, Washington, D.C. 20231 by facsimile transmission on February 25, 2005, fax number (703) 872-9306.



M. Robert Kestenbaum